

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD ALEX WILLIAMS,

Petitioner,

No. 2: 03-cv-0721 LKK JFM

vs.

CHERYL PLILER,

Respondent.

ORDER


_____/

Petitioner is a state prisoner and is proceeding through counsel with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On June 29, 2012 the magistrate judge recommended granting the habeas petition. Subsequently, respondent moved for an evidentiary hearing. Respondent's motion for an evidentiary hearing was referred to the magistrate judge. On November 15, 2012, the magistrate judge granted respondent's motion for an evidentiary hearing. (See Dkt. No. 89.) Petitioner filed objections to the order granting the evidentiary hearing. (See Dkt. No. 90.) Pursuant to E.D. Local Rule 303(f) and Federal Rule of Civil Procedure 72(a), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." Upon review of the entire file, the court finds that it does not appear that the magistrate judge's ruling was clearly erroneous or contrary to law.

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1 Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the order of
2 the magistrate judge filed November 15, 2012, is affirmed.

3 DATED: December 20, 2012.

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7 LAWRENCE K. KARLTON
8 SENIOR JUDGE
9 UNITED STATES DISTRICT COURT
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